

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 8/10/2022
--

-----X		
BOUSTEAD SECURITIES, LLC.,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	20-cv-3749 (VEC)
	:	
LEAPING GROUP CO., LTD. and ATIF	:	<u>ORDER</u>
HOLDINGS LIMITED,	:	
	:	
Defendants.	:	
-----X		

VALERIE CAPRONI, United States District Judge:

WHEREAS Plaintiff commenced this action on May 14, 2020, *see* Dkt. 1;

WHEREAS Defendant Leaping Group Co., Ltd. (“Leaping”) moved to dismiss the Complaint for improper service pursuant to Rule 12(b)(5), Dkt. 21;

WHEREAS this Court denied Leaping’s motion to dismiss and ordered Plaintiff to serve Defendant Leaping through the Hague Convention by no later than December 15, 2021, *see* Dkt. 68;

WHEREAS Plaintiff effectuated service on Defendant Leaping through the Hague Convention and filed proof of service on July 22, 2021, Dkt. 81;

WHEREAS Plaintiff filed a statement of damages against Defendant Leaping for failure to respond to Plaintiff’s complaint, Dkt. 95;

WHEREAS on September 8, 2021, Defendant Leaping was ordered to show cause why the Court should not order a default judgment pursuant to Rule 55(b) in favor of Plaintiff, *see* Dkt. 96;

WHEREAS on September 23, 2021, Plaintiff moved for default judgment against Defendant Leaping after Leaping failed to appear for a show cause hearing, *see* Dkt. 98;

WHEREAS Plaintiff's motion for default judgment was held in abeyance pending Plaintiff's motion to file a second amended complaint; *see* Dkt. 102;

WHEREAS on December 28, 2021, Plaintiff filed its Second Amended Complaint, *see* Dkt. 115; and

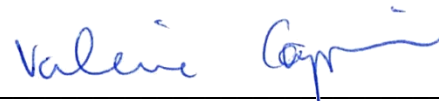
WHEREAS on November 4, 2021, Plaintiff filed proof of service by FedEx and e-mail of the Second Amended Complaint on Leaping, *see* Dkt. 108; and

WHEREAS on July 6, 2022, this Court denied ATIF's motion to dismiss Plaintiff's Second Amended Complaint, Dkt. 123;

IT IS HEREBY ORDERED that Plaintiff's motion for a default judgment against Leaping dated September 23, 2021, is DENIED without prejudice to Plaintiff moving again for default judgment, not later than **September 9, 2022**, based on Leaping's failure to respond to the Second Amended Complaint.

SO ORDERED.

Date: August 10, 2022
New York, NY



VALERIE CAPRONI
United States District Judge